IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO. 386 OF 1998

IN

SUMMARY SUIT NO. 1228 OF 1998

Thirumalai Chemicals Ltd .....**Plffs.**
vs.
Serene Industries Ltd .....**Defnds.**

Rumani Bagdali i/b. Sumedha Rao for the plffs.

F. Sayyed i/b. M.K. Ambalal and Co. for the defnds.

M.K. Nasari for the respondents.

CORAM: S.U. KAMDAR, J.

DATE : 13th September, 2005.

P.C. :.

1. Learned counsel for the plaintiff states that in view of the fact that the defendant company is in BIFR it seeks leave to withdraw the Summons for Judgment with liberty to take out a fresh Summons for Judgment after the company comes out of the BIFR.

2. Summons for Judgment is dismissed as withdrawn with the aforesaid liberty.

3. The defendants are directed to inform the plaintiffs advocate as well as the Prothonotary and Senior Master, High Court about the status of the proceedings before the BIFR every six months and if any final order is passed then such order to be communicated within 15 days from the passing of the said order.

4. Learned counsel appearing for the defendant undertakes to file vakalatnama for the defendant by tommorrow. Learned counsel for the plaintiff undertakes to file R & :P in the matter an extra copy by Friday 5 p.m. as no R & P is traceable on file. The name of M/s. Ambalal and Co. for the defendant be removed.

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